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March 9, 2016

VIA COURIER

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Attention: Video Division, Media Bureau

Re: MB Docket No. 16-29, RM-11758
Comments in Support of NPRM to Amend the DTV Table of Allotments

Dear Ms. Dortch:

On behalf of Gray Television Licensee, LLC, licensee of commercial television station KDUH-TV, Scottsbluff, Nebraska and Rushmore Media Company, Inc., the former licensee of KDUH-TV, we hereby transmit an original and one copy of the *Comments* in support of the Notice of Proposed Rulemaking to delete channel 7 at Scottsbluff, Nebraska and substitute channel 7 at Sidney, Nebraska in the DTV Table of Allotments.

If any additional information is needed in connection with this matter, please contact us.

Respectfully submitted,

John R. Feore
Henry H. Wendel
Counsel to Gray Television License, LLC

Enclosure

cc: Ms. Joyce Bernstein (via e-mail)
Mr. Peter Saharko (via e-mail)
Ms. Adrienne Denysyk (via e-mail)



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bcc: Mr. Robert J. Folliard, III
Jack N. Goodman

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Gray Television Licensee, LLC and)	
New Rushmore Radio, Inc.)	MB Docket No. 16-29
Amendment of Section 73.622(i))	RM-11758
Digital Television Table of Allotments)	
(Scottsbluff, Nebraska and Sidney, Nebraska))	

To: Office of the Secretary
Attn: Chief, Video Division, Media Bureau

COMMENTS

Gray Television Licensee, LLC ("Gray") licensee of KDUH-TV, Scottsbluff, Nebraska, Facility Identification Number 17683 (the "Station") and Rushmore Media Company, Inc. ("Rushmore Media") the former licensee of KDUH-TV, by their attorneys and pursuant to Sections 1.415 and 1.419 of the Commission's Rules,¹ hereby submit these comments in response to the Commission's *Notice of Public Rulemaking* ("NPRM") in the above-captioned proceeding.² The NPRM proposes to delete Channel 7 at Scottsbluff, Nebraska and substitute Channel 7 at Sidney, Nebraska in the DTV Table of Allotments. Gray and Rushmore Media strongly support the proposed substitution and the associated waiver of the Commission's freeze on the filing of petitions for rulemaking to change a television station's community of license.

Substitution of the community of license for the Station from Scottsbluff, Nebraska to Sidney, Nebraska with continued operations on Channel 7 will represent a preferential arrangement of allotments by affording Sidney its first local full-power television service. The proposed allotment will also provide

¹ 47 C.F.R. §§ 1.415, 1.419.

substantial public interest benefits to those that live in the panhandle of western Nebraska. Because KDUH-TV's broadcast signal does not reach Cheyenne, Wyoming, the Station cannot fully compete in or serve the Cheyenne-Scottsbluff designated market area. Reallocating Station to Sidney would ensure that the station's community of license more closely fits with its actual service contour. Moreover, Gray is transitioning KDUH-TV to serve as a semi-satellite of Gray's station KNOP-TV, North Platte, Nebraska. This will allow KDUH-TV to serve as the only outlet for focused in-state and local information to residents of western Nebraska.

Gray and Rushmore Media assert that a waiver of the freeze on channel changes would serve the public interest. The change in community of license does not require Gray to make any changes to the technical facilities of the Station. The proposed change, therefore, would not impact the Commission's reallocation of spectrum or repacking following the broadcast television incentive auction.

² See *Notice of Public Rulemaking*, DA 16-139, MB Docket No. 16-29, RM-11758 (rel. February 8, 2016).

As described in their petition for rulemaking and in the foregoing, Gray and Rushmore Media strongly support the proposed rulemaking to substitute Sidney for Scottsbluff as the community of license for KDUH-TV.

Respectfully submitted,

RUSHMORE MEDIA COMPANY, INC.

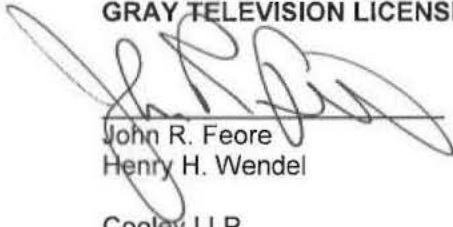
/s/ Jack N. Goodman
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March 9, 2016

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